

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
SHARON JOHNSON,

Plaintiff,

-against-

GREEN BUS LINE,

Defendant.  
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04 CV 2723 (NG) (LB)

ORDER

**GERSHON, United States District Judge:**

By complaint dated June 28, 2004, plaintiff, acting *pro se*, commenced this action alleging employment discrimination in violation of Title VII of the Civil Rights Act of 1964, codified at 42 U.S.C. §§ 2000e-2000e-17. Among the exhibits annexed to the complaint is a right-to-sue letter issued by the Equal Employment Opportunity Commission on May 5, 2004. By order dated July 29, 2004, the court granted plaintiff *in forma pauperis* status and directed the United States Marshal for this district to serve the summons and complaint on defendant without prepayment of fees. The summons was returned executed and defendant's response was due on October 14, 2005. By order dated April 8, 2005, the Honorable Lois Bloom, United States Magistrate Judge, directed defendant to respond to plaintiff's complaint by April 28, 2005. Judge Bloom notified defendant that if it failed to respond, it would be subject to entry of default. Subsequently, by order dated July 25, 2005, Judge Bloom authorized plaintiff to move for default judgment. Plaintiff did so on August 22, 2005. To date, defendant has not responded to plaintiff's complaint or otherwise appeared in this action.

In light of the foregoing, the Clerk of Court is directed to enter defendant's default pursuant to Federal Rule of Civil Procedure 55(a). Since such entry of default is a ministerial act, the court

need not delay in resolving the motion for default judgment. Plaintiff's motion for default judgment is hereby granted pursuant to Federal Rule of Civil Procedure 55(b). The case is referred to Judge Bloom for a report and recommendation concerning the relief, if any, to which plaintiff is entitled.

**SO ORDERED.**

/S/

**NINA GERSHON**  
**United States District Judge**

Dated: Brooklyn, New York  
February 27, 2006